

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 70

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE KOLLER.

Pre-filed December 1, 2000, and 1000 copies ordered printed.

Read 1<sup>st</sup> time January 3, 2001.

Read 2<sup>nd</sup> time January 4, 2001, and referred to the Committee on Transportation, January 23, 2001.

Reported from the Committee on Transportation, February 26, 2001, with recommendation that the bill Do Pass.

Taken up for Perfection March 27, 2001. Bill ordered Perfected and printed, as amended.

TED WEDEL, Chief Clerk

0576L.01P

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## AN ACT

To repeal section 302.020, RSMo 2000, relating to motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 302.020, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 302.020, to read as follows:

302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or

14   motortricycle or has been issued an instruction permit therefor;

15           (4) Operate a motor vehicle with an instruction permit or license issued to another  
16   person.

17           2. Every person **who is under twenty-one years of age** operating or riding as a  
18   passenger on any motorcycle or motortricycle, as defined in section 301.010, RSMo, upon any  
19   highway of this state shall wear protective headgear at all times the vehicle is in motion. The  
20   protective headgear shall meet reasonable standards and specifications established by the  
21   director.

22           3. Notwithstanding the provisions of section 302.340 any person convicted of violating  
23   subdivision (1) or (2) of subsection 1 of this section is guilty of a class A misdemeanor. Any  
24   person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1  
25   of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340,  
26   violation of subdivisions (3) and (4) of subsection 1 of this section is a class C misdemeanor and  
27   the penalty for failure to wear protective headgear as required by subsection 2 of this section is  
28   an infraction for which a fine not to exceed twenty-five dollars may be imposed.  
29   Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall  
30   be imposed upon any person due to such violation. No points shall be assessed pursuant to  
31   section 302.302 for a failure to wear such protective headgear.

32           **4. Any person who receives a head injury while operating a motorcycle or**  
33   **motortricycle upon any highway in this state and who was not wearing protective headgear**  
34   **during the time of such injury shall not be eligible for state aid or assistance for medical**  
35   **treatment of such injuries.**